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Date of Signature and Deposit: November 11, 2004


Sara E. Vinnaroy

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rui Sousa

Date: November 11, 2004

Serial No.: 10/689,495

Art Unit:

Filed: 10/20/2003

Examiner:

For: METHODS FOR USING DOUBLE-MUTANT RNA POLYMERASES WITH REDUCED DISCRIMINATION BETWEEN NON-CANONICAL AND CANONICAL NUCLEOSIDE TRIPHOSPHATES Docket: 310307.90240

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION
FILED UNDER 37 CFR 1.53(b)
Filing Date Granted

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In a Notice to File Missing Parts mailed October 18, 2004 the applicant was given two months from the mailing date to file all required items and pay any fees required to avoid abandonment. The Notice informed the applicant that the oath or declaration was unsigned. In response, the applicant submits herewith a Declaration signed by the inventor.

The Notice also informed the applicant that the application as filed did not comply with the requirements of 37 CFR 1.821-1.825 regarding sequence listings. The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office (USPTO) and representing the applicant in the above-identified patent application does hereby state and affirm that the content of the paper copy of the "Sequence Listing" provided herewith in the present application is believed to be identical to the computer readable format (CRF) diskette submitted in the following related application: U.S. Patent Application Serial No 10/404,726, filed April 1, 2003 which claims priority from U.S. Serial No. 09/965,346, filed September 27, 2001, which is a continuation of 09/643,189 filed August 21, 2000, which is a

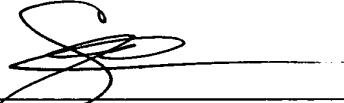
continuation of U.S. Serial No. 09/100,803, filed June 19, 1998, now U.S. Patent No. 6,107,037.

Accordingly, applicant desires the "Sequence Listing" in the instant application to be identical with that of the other related applications mentioned hereinabove and on file in the USPTO. This request under 37 C.F.R. §1.821(e) is submitted in lieu of submission of a new CRF. Applicants note that the previously submitted computer readable copy is believed to be compliant with all of the requirements under 37 C.F.R. §1.821. Therefore, in lieu of filing a new duplicate CRF in the instant application, applicant requests the use of the compliant CRF "Sequence Listing" that is already on file with the USPTO.

All missing parts are now believed to be on file.

Please charge the surcharge in the amount of \$65.00 to Deposit Account No. 17-0055. Should any extension of time be due in this or any subsequent response, please consider this to be a request for the appropriate extension of time and a request to charge the fee due to Deposit Account No. 17-0055. Should any other fee be due in connection with this or any subsequent response, please charge the fee to Deposit Account No. 17-0055.

Respectfully submitted,



Sara D. Vinarov
Reg. No. 48,524
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P O Box 2113
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(10-04)
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

Complete if Known

Application Number	10/689,495
Filing Date	10/20/2003
First Named Inventor	Rui Sousa
Examiner Name	
Art Unit	1637
Attorney Docket No.	310307.90240

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

17-0055

Quarles & Brady LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	0.00
Multiple Dependent	-3** =	X	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 430	2252 215	Extension for reply within second month			
1253 980	2253 490	Extension for reply within third month			
1254 1,530	2254 765	Extension for reply within fourth month			
1255 2,080	2255 1,040	Extension for reply within fifth month			
1401 340	2401 170	Notice of Appeal			
1402 340	2402 170	Filing a brief in support of an appeal			
1403 00	2403 150	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,370	2501 65	Utility issue fee (or reissue)			
1502 40	2502 245	Design issue fee			
1503 60	2503 30	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))			
1801 790	2801 395	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Sara D. Vinarov

Registration No.
(Attorney/Agent)

48,524

Telephone 608/251-5000

Signature

Date

November

2004

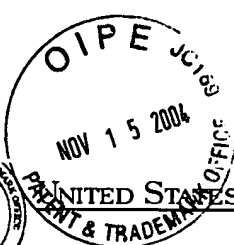
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/689,495	10/20/2003	Rui Sousa	31030790240

CONFIRMATION NO. 4308

FORMALITIES LETTER



OC000000014121004

Sara D. Vinarov
 Quarles & Brady LLP
 P O Box 2113
 Madison, WI 53701-2113

Date Mailed: 10/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B. Habteaword,
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE